

NOTICE OF OBJECTION TO CONFIRMATION

WELLS FARGO BANK, N.A. has filed papers with the Court to object to the Confirmation of the Chapter 13 Plan.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to object to the Confirmation of the Chapter 13 Plan, or if you want the Court to consider your views on the Objection, then on or before, you or your attorney must:

1. File with the Court an answer, explaining your position at:

**Clerk  
U.S. Bankruptcy Court  
401 Market Street, 2nd Floor  
Camden, NJ 08101**

If you mail your response to the Court for filing, you must mail it early enough so that the Court will *receive* it on or before the date stated above.

You must also mail a copy to:

Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103

Isabel C. Balboa, Trustee  
Cherry Tree Corporate Cen, 535 Route 38 - Suite 580  
Cherry Hill, NJ 08002

2. Attend the hearing scheduled to be held on 06/19/2019 in the CAMDEN Bankruptcy Court, at the following address:

**U.S. Bankruptcy Court  
401 Market Street, 2nd Floor  
Camden, NJ 08101**

If you or your attorney do not make these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an Order granting that relief.

Date: April 11, 2019

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: nicholas.rogers@phelanhallinan.com

**File No. 823777**

Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard  
Philadelphia, PA 19103  
856-813-5500  
FAX Number 856-813-5501  
WELLS FARGO BANK, N.A.

In Re:  
MONTE D. HINDSMAN  
  
Debtor

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE

Chapter 13

Case No. 19-15668 - JNP

Hearing Date: 06/19/2019

The undersigned, Phelan Hallinan Diamond & Jones, PC, attorneys for Secured Creditor, WELLS FARGO BANK, N.A., the holder of a Mortgage on Debtor's residence located at 100 SANDBAR ROAD, EGG HARBOR TOWNSHIP, NJ 08234 hereby objects to the Confirmation of the Debtor's proposed Chapter 13 Plan on the following grounds:

1. Secured Creditor is WELLS FARGO BANK, N.A..
2. Debtor, MONTE D. HINDSMAN is the owner of the property located at 100 SANDBAR ROAD, EGG HARBOR TOWNSHIP, NJ 08234.
3. Secured Creditor is in the process of drafting and filing a secured proof of claim, with arrears of approximately \$36,606.79.
4. Debtor's Plan fails to cure the delinquency pursuant to 11 U.S.C. §1322(b)(5).
5. Debtor's Plan provides for the Debtor's pursuit of a loan modification. Debtor's Plan is speculative in nature in that the Plan contemplates curing the arrears through a loan modification that has neither been offered nor approved.
6. Secured Creditor objects to Debtor's Plan as the Plan needs to fund the arrears owed to Secured Creditor during the term of the Plan rather than rely on speculation that is based on the possibility of a loan modification that has neither been offered nor approved.

7. Furthermore, Debtor's Plan needs to provide for on-going, post-petition regular monthly mortgage payments to Secured Creditor.
8. Based on the foregoing, confirmation of the Debtor's proposed Plan should be denied.

WHEREFORE, WELLS FARGO BANK, N.A. respectfully requests that the Confirmation of Debtor's Plan be denied.

/s/ Nicholas V. Rogers  
Nicholas V. Rogers, Esq.  
Phelan Hallinan Diamond & Jones, PC  
1617 JFK Boulevard, Suite 1400  
Philadelphia, PA 19103  
Tel: 856-813-5500 Ext. 42689  
Fax: 856-813-5501  
Email: nicholas.rogers@phelanhallinan.com

Dated: April 11, 2019

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
<b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b>	
823777 Phelan Hallinan Diamond & Jones, PC 1617 JFK Boulevard, Suite 1400 Philadelphia, PA 19103 856-813-5500 Attorneys for WELLS FARGO BANK, N.A.	
In Re:	Case No: 19-15668 - JNP
Monte D. Hindsman	Hearing Date: 06/19/2019
	Judge: JERROLD N. POSLUSNY JR.
	Chapter: 13

### **CERTIFICATION OF SERVICE**

1. I, Jason Seidman:

represent the \_\_\_\_\_ in the above-captioned matter.

am the secretary/paralegal for Phelan Hallinan Diamond & Jones, PC, who represents WELLS FARGO BANK, N.A. in the above captioned matter.

am the \_\_\_\_\_ in the above case and am representing myself.

2. On April 11, 2019 I sent a copy of the following pleadings and/or documents to the parties listed below:

Objection to Plan

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: April 11, 2019

/s/ Jason Seidman  
Jason Seidman

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
Monte D. Hindsman 100 Sandbar Road, Egg Harbor Township, NJ 08234	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>
U.S. Trustee US Dept of Justice Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>
Kevin Fayette, Esquire 1675 Whitehorse Mercerville Road Suite 204 Hamilton, NJ 08619	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>
Isabel C. Balboa, Trustee Cherry Tree Corporate Cen 535 Route 38 - Suite 580 Cherry Hill, NJ 08002	Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular Mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ <small>(as authorized by the court *)</small>

\* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.